

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GALE FORCE NINE LLC,

Plaintiff,

v.

WIZARDS OF THE COAST LLC,

Defendant.

CASE NO. 2:20-cv-01700-RAJ-BAT

**ORDER DENYING MOTION
FOR TEMPORARY
RESTRAINING ORDER**

Before the Court is the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, Dkt. # 21, on Plaintiff's Motion for Temporary Restraining Order ("TRO"), Dkt. # 4. Given the expedited nature of the motion and relief sought, Judge Tsuchida accelerated the deadline for filing objections to the Report and Recommendation ("R&R") to no later than Monday, November 30, 2020, five days after the R&R was filed. Plaintiff timely filed its objections. Dkt. # 22.

Consistent with the accelerated schedule, the Court determines that it may consider the R&R and rule on the TRO before Defendant's response is due, which would be due 13 days after objections are filed pursuant to LCR 72(b). This departure from the local rule is warranted given the expedited nature of the motion and relief sought and

1 does not affect the substantial rights of either party. *See Prof'l Programs Grp. v. Dep't of*
2 *Commerce*, 29 F.3d 1349, 1353 (9th Cir. 1994) (holding that a departure from
3 the local rules is justified only if the effect of such departure is slight, and that a court's
4 departure from local rules affecting a party's "substantial rights" requires reversal).

5 Having reviewed the R&R, objections to it, and remaining records, the Court finds
6 and ORDERS:

- 7 (1) The Court **ADOPTS** the Report and Recommendation. Dkt. # 21.
8 (2) Plaintiff's Motion for Temporary Restraining Order, Dkt. # 4, is **DENIED**.
9 (3) The Clerk is directed to send copies of this Order to the parties and to Judge
10 Tsuchida.
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12 DATED this 2nd day of December, 2020.

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15 The Honorable Richard A. Jones
16 United States District Judge
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